

ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014

Shaded Area For Office Use Only

Case No. 100

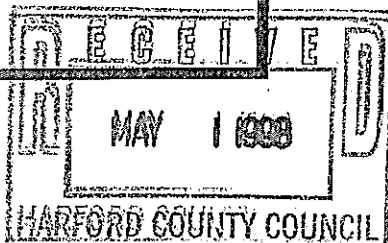
Date Filed 4-29-98

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$700.00



Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Plumtree Associates, a Joint Venture Phone Number call attorney

Address 1203 Georgetown Drive Bel Air MD 21014
Street Number Street State Zip Code

Property Owner See attached Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street State Zip Code

Attorney/Representative John J. Gessner Phone Number (410) 893-7500

Address Hertsch, Gessner & Snee, P.A.
11 South Main Street, P.O. Box 1776 Bel Air MD 21014
Street Number Street State Zip Code

Hearing: 9/23/98

Land Description

Address and Location of Property (with nearest intersecting road) See attached

Subdivision _____ Lot Number _____ Acreage/Lot Size See att. Election District 1

Existing Zoning R1/R3 Proposed Zoning RO Acreage to be Rezoned 4.64± (all)

Tax Map No. 56 Grid No. 2C Parcel See att. Deed Reference See attached

Critical Area Designation N/A Land Use Plan Designation Medium/High Intensity

Present Use and ALL improvements: residential/single family detached dwellings

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.
Example: Conventional, Conventional with Open Space, Planned Residential Development) commercial uses
permitted in the RO zone.

Is the property designated a historic site, or does the property contain any designated or registered historic structures?
N/A If yes, describe: _____

Estimated Time Requested to Present Case: 45 minutes

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

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ATTACHMENT
TO ZONING RECLASSIFICATION APPLICATION OF PLUMTREE ASSOCIATES

The Zoning Reclassification Application requests the following information.

Petitioner's submission is as follows:

"(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation."

Petitioner: See attachment A-1, List of Owners of Property Within 500 Feet of the Subject Property.

"(b) A statement of the grounds for the application including:

"(1) A statement as to whether there is an allegation of mistake as to the existing zoning and, if so, the nature of the mistake and facts relied upon to support this allegation."

Petitioner: A mistake occurred in the legal sense when the subject property was zoned R1 and R3 during the last Comprehensive Rezoning in 1989. The County Council erroneously assumed that the subject property should be zoned R1 and R3. As a result of development in the area, changes in the Master Plan, Master Water and Sewer Plan and other factors which have occurred since the last Comprehensive Rezoning in 1989, the property's R1 and R3 zoning classification is no longer appropriate. The subject property should be rezoned RO in its entirety.

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"(2) A statement as to whether there is an allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change."

Petitioner: Petitioner makes such an allegation. As a result of development in the area, changes in the Master Plan, Master Water and Sewer Plan and other factors which have occurred since the last Comprehensive Rezoning in 1989, the neighborhood has substantially changed.

"(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion."

Petitioner: The proposed classification is in conformance with the Master Plan.

"(d) A concept plan shall be submitted by the applicant at the time the application is filed. The concept plan shall illustrate the following:

1. Location of site;
2. Proposed general nature and distribution of land uses but need not include engineered drawings;
3. Neighborhood;
4. All surrounding zoning; and
5. Proposed public or private capital improvements.

Petitioner: See attachment A-2.

3 : 4/7/98
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201872

"(e) List previous rezonings and recommendations since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions."

Petitioner: None.

"(f) Map indicating woods, fields, streams, floodplains, non tidal wetlands, etc."

Petitioner: See Attachment A-3

"(g) Property deed, and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property."

Petitioner: See Attachments A-4 (Title Deeds) and A-3

"(h) Private restrictions or covenants, if any, applicable to subject parcel."

Petitioner: None

"(i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted."

Petitioner: None .

"(j) Availability of public water and sewer."

Petitioner: Public water and sewer are available to the property.

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ATTACHMENT TO APPLICATION OF
 PLUMTREE ASSOCIATES, JOINT VENTURE

LAND DESCRIPTION:

MAP	GRID	PARCEL	AC	DESCRIPTION	DEED REFERENCE
56	2C	439	0.465	108 Plumtree Rd. S of Bel Air	394/175
56	2C	335	0.465	113 Plumtree Rd. N of Emmorton	1562/343
56	2C	168	0.551	109 Plumtree Rd. S of Bel Air	1436/94
56	2C	287	0.464	112 Plumtree Rd. N of Emmorton	1265/30
56	2C	210	0.418	204 Plumtree Rd. NW of Emmorton	2050/803
56	2C	31	0.432	202 Plumtree Rd. N of Emmorton	630/383
56	2C	50	0.464	110 Plumtree Rd. N of Emmorton	846/559
56	2C	169	0.465	111 Plumtree Rd. N of Emmorton	586/113
56	2C	170	0.463	201 Plumtree Rd. N of Emmorton	610/351
56	2C	400	0.455	200 Plumtree Rd. N of Emmorton	1930/953

Applicant - - - (please print or type)

Name Sara Walker Phone Number _____ Call Attorney _____
 Address 108 Plumtree Road Bel Air MD 21014
 Street Number Street City State Zip Code

Property Owner Robert A. Morgan Phone Number _____ Call Attorney _____
 Address 113 Plumtree Road Bel Air MD 21014
 Street Number Street City State Zip Code

Property Owner Denise A. Morgan Phone Number _____ Call Attorney _____
 Address 113 Plumtree Road Bel Air MD 21014
 Street Number Street City State Zip Code

Property Owner Bel Air Veterinary Hospital, Inc. Phone Number _____ Call Attorney _____
 Address 1501 South Tollgate Road Bel Air MD 21014
 Street Number Street City State Zip Code

Property Owner Kim Annette Atkins Phone Number _____ Call Attorney _____
 Address 112 Plumtree Road Bel Air MD 21014
 Street Number Street City State Zip Code

9 : 4/7/98
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Property Owner	<u>Jay Leon Atkins, Jr.</u>	Phone Number	<u>Call Attorney</u>
Address	<u>112 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>Jeanne R. McMillan</u>	Phone Number	<u>Call Attorney</u>
Address	<u>204 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>Dianne R. Jacobs</u>	Phone Number	<u>Call Attorney</u>
Address	<u>204 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>Betty L. Remines</u>	Phone Number	<u>Call Attorney</u>
Address	<u>202 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>Richard Reed Edwards</u>	Phone Number	<u>Call Attorney</u>
Address	<u>110 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>Mary Virginia Edwards</u>	Phone Number	<u>Call Attorney</u>
Address	<u>110 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>Loretta J. Kelly</u>	Phone Number	<u>Call Attorney</u>
Address	<u>111 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>M. Estelle Spencer</u>	Phone Number	<u>Call Attorney</u>
Address	<u>201 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

Property Owner	<u>Jerald R. Wheeler</u>	Phone Number	<u>Call Attorney</u>
Address	<u>200 Plumtree Road</u>	<u>Bel Air MD 21014</u>	
Street Number	Street	City	State Zip Code

10 : 4/7/98
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Plumtree Associates

By:

Dianne R. Jacobs 4/9/98
Dianne R. Jacobs Date
Signature of Applicant/Owner

Patricia L. Hale 4/9/98
Witness Date

Sara E. Walker 4/9/98
Sara Walker Date
Signature of Property Owner

Marcia B. McDaniel 4/9/98
Witness Date

Robert A. Morgan 4/13/98
Robert A. Morgan Date
Signature of Owner

Matthew B. Bell 4/13/98
Witness Date

Denise A. Morgan 4/13/98
Denise A. Morgan Date
Signature of Owner

Matthew B. Bell 4/13/98
Witness Date

Bel Air Veterinary Hospital, Inc.

By: Richard Cook 4-9-98
Richard Cook, Date
Signature of Owner

Cynthia L. Oliver 4-9-98
Witness Date

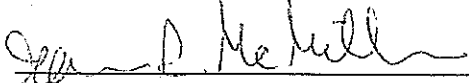
Jay Leon Atkins, Jr. 4/9/98
Jay Leon Atkins, Jr. Date
Signature of Owner


Cynthia L. Oliver 4/9/98
Witness Date


Kim Annette Atkins 4-10-98
Kim Annette Atkins Date
Signature of Owner

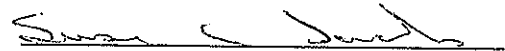
Kim Annette Atkins 4-12-98
Witness Date

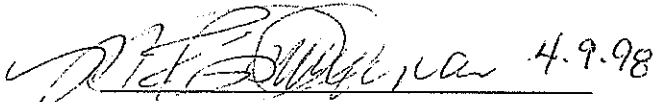
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Jeanne R. McMillan Date
Signature of Owner

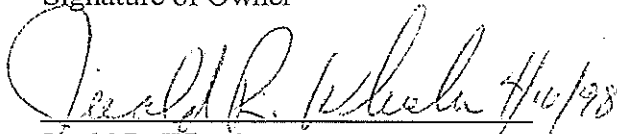
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Witness Date

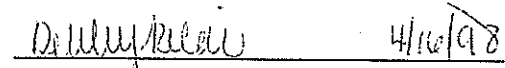
 4-10-98
Betty L. Remines Date
Signature of Owner


 4-12-98
Witness Date

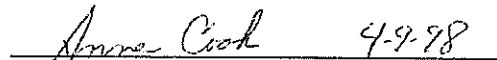
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M. Estelle Spencer Date
Signature of Owner

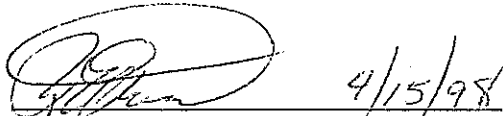
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Witness Date

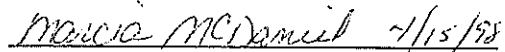
 4/10/98
Jerald R. Wheeler Date
Signature of Owner

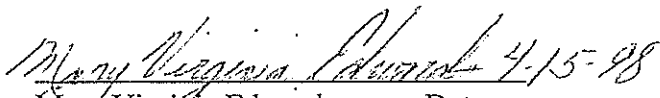
 4/10/98
Witness Date

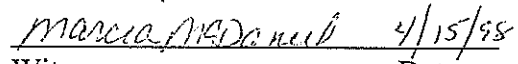
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Loretta J. Kelly Date
Signature of Owner

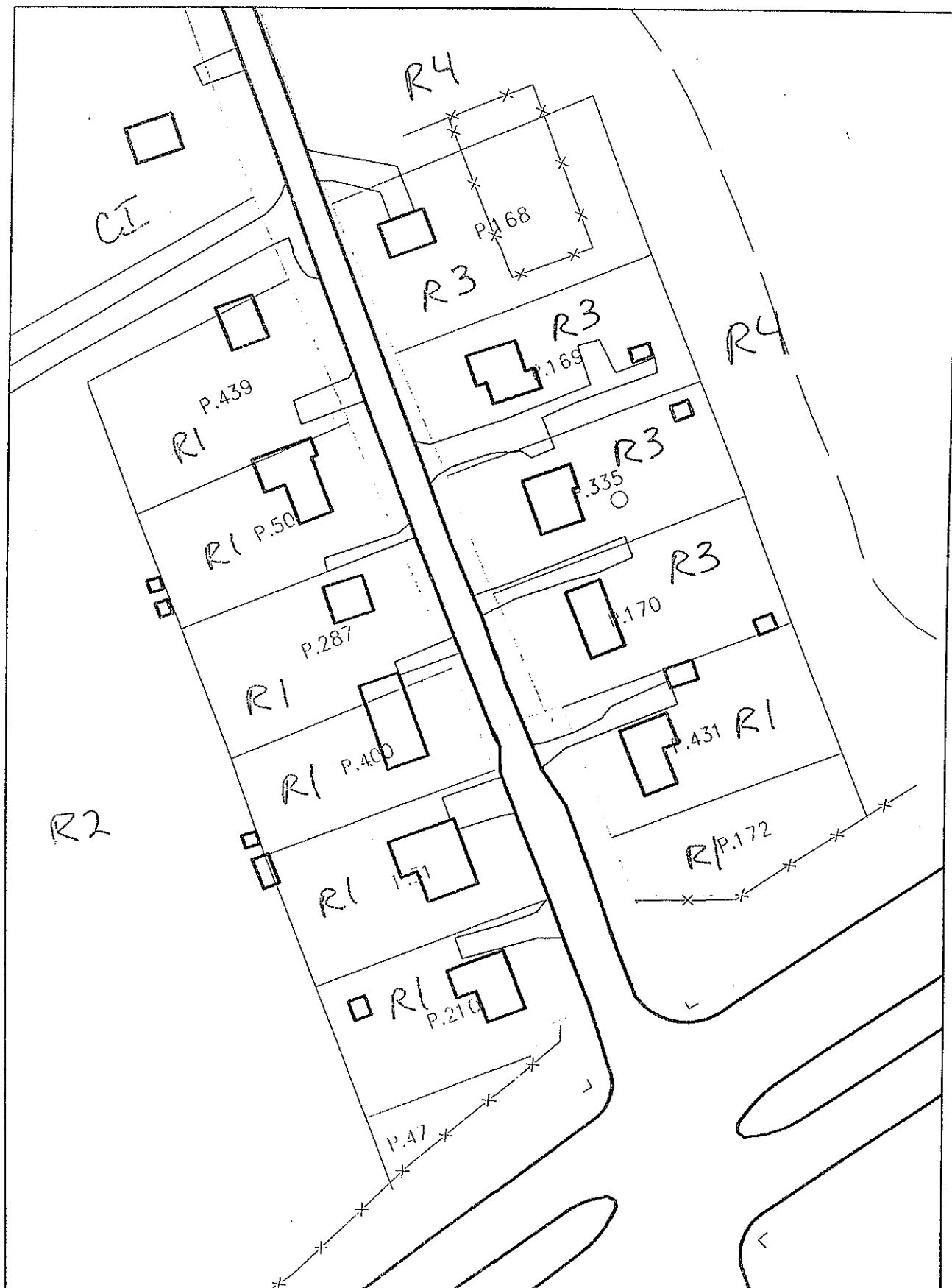
 4-9-98
Witness Date

 4/15/98
Richard Reed Edwards Date
Signature of Owner

 4/15/98
Witness Date

 4-15-98
Mary Virginia Edwards Date
Signature of Owner

 4/15/98
Witness Date



27/ 3/98

roadind

pland

strcind

tparcelind

cadind

- (4) All surrounding zoning.
- (5) Proposed public or private capital improvements.
- (e) Previous individual rezonings and recommendation since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions.
- (f) Environmental features map indicating woods, fields, streams, floodplains, non-tidal wetlands, etc.
- (g) Property deed and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property.
- (h) Private restrictions or covenants, if any, applicable to subject parcel.
- (i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted.
- (j) Availability of public water and sewer.

Additional Information as Required by the Department of Planning and Zoning

- (a) Existing and proposed libraries, parks, schools, fire and police departments.
- (b) Demonstration of compatibility of the proposed use with existing and proposed development for the area.
- (c) Traffic impact study.
- (d) Economic and Environmental impact studies.
- (e) Estimated population for existing and proposed petitioned area and neighborhood, as defined.
- (f) Soils analysis.
- (g) Aerial photograph.

CASE NO. 100 MAP 56 TYPE Rezoning

ELECTION DISTRICT 1 LOCATION Various parcels on Plumtree Road, Bel Air, Md.

BY Plumtree Associates, a Joint Venture, 1203 Georgetown Drive, Bel Air, Md. 21014

Appealed because a rezoning pursuant to Section 267-12A of the Harford County Code to rezon

4.64 acres in an R1/R3 District to a RO District requires approval by the Board.

I/We do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my/our knowledge, information, and belief.

See Attached

Signature of Applicant/Owner

Date

Witness

Date

Signature of Contract Purchaser/Owner

Date

Witness

Date

Signature of Attorney/Representative

Date

Witness

Date

Director of Planning and Zoning

Date

Zoning Staff

Date